

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION**

CIVIL NO. 1:04CV112

WADE D. BURNS,

Plaintiff,

vs.

**TOWN OF MONTREAT, and TERESA
REED, individually and in her official
capacity as Zoning Official of the Town
of Montreat,**

Defendants.

J U D G M E N T

For the reasons set forth in the Memorandum and Order filed herewith,

IT IS, THEREFORE, ORDERED, ADJUDGED, AND DECREED that the Defendants' motion for summary judgment as to the Plaintiff's claims pursuant to 42 U.S.C. § 1983 is **ALLOWED**, and those claims are **DISMISSED WITH PREJUDICE** in their entirety.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Plaintiff's claims for tortious interference with contract and civil conspiracy are hereby **DISMISSED WITH PREJUDICE**.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that, the Court declining to exercise supplemental jurisdiction over the remaining state claims, such claims are hereby **DISMISSED WITHOUT PREJUDICE**.

Signed: August 25, 2005

A handwritten signature in dark ink, appearing to read 'L. H. Thornburg', is written over a horizontal line.

Lacy H. Thornburg
United States District Judge

